

# STATE PROPERTIES REVIEW BOARD

## Minutes of Meeting Held On December 3, 2012 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on December 3, 2012 in the State Office Building.

**Members Present:** Edwin S. Greenberg, Chairman  
Bennett Millstein, Vice Chairman  
Bruce Josephy, Secretary  
Mark A. Norman  
Pasquale A. Pepe  
John P. Valengavich

**Staff Present:** Brian A. Dillon, Director

Chairman Greenberg called the meeting to order.

Mr. Josephy moved and Mr. Millstein seconded a motion to enter into Open Session. The motion passed unanimously.

### OPEN SESSION

**ACCEPTANCE OF MINUTES OF NOVEMBER 26, 2012.** Mr. Norman moved and Mr. Valengavich seconded a motion to approve the minutes of November 26, 2012. The motion passed unanimously.

### COMMUNICATIONS

#### REAL ESTATE- UNFINISHED BUSINESS

#### REAL ESTATE- NEW BUSINESS

**PRB #** 12-293 **Transaction/Contract Type:** RE / Voucher  
**Origin/Client:** DOT / DOT  
**Project Number:** 102-340-004  
**Grantor:** Eric Richmond et al  
**Property:** 314 Rowayton Avenue, Norwalk, CT  
**Project Purpose:** Reconstruction of Rowayton Ave. beneath Railroad Bridge No. 4152R  
**Item Purpose:** Acquisition of a 1,066+/- SF temporary construction easement for highway purposes and additional compensation for the contributory value of site improvements.

Staff reported that Railroad Bridge No. 4152R carries the Metro-North Railroad over Rowayton Avenue in the southwestern section of the City of Norwalk. Rowayton Avenue provides access to the Rowayton Rail Station from U. S. Route 1 to the north and from Route 136 to the south. The replacement of the bridge will increase vertical clearance from 11'2" to 12'1" by reconstructing and lowering Rowayton Avenue. Rowayton Avenue will be widened to a curb width of 28 feet. Drainage will be improved. A five foot sidewalk will be added on Rowayton's east side from Belmont Place to 175 feet north of RR Station Drive. Concrete retaining walls with a natural stone facing will be reconstructed on the east side from Belmont Place north to the bridge and on the west side opposite RR Station Drive north 175 feet.

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The project requires 4 takings of vacant land and 6 easements affecting 10 properties. The cost estimate for rights of way is \$700,000. At 314 Rowayton Avenue, DOT is acquiring a temporary (1 year) construction easement for the purpose of constructing a retaining wall in an area of 1,066 sq. ft. The photographs show the affected site improvements are a stone wall and mature maple trees.

Consistent with DOT’s agreement with FHWA an estimate of compensation (EOC) worksheet has been prepared for the subject taking. This process is used when for simple acquisitions related to minor site improvements where the total cost is typically less than \$10,000. The subject property contains 0.371 acre and is improved with a single family residence. The EOC established a unit value of \$50.00/SF. Hence the taking was valued as follows:

| Item                              | Calculation                 | Total   |
|-----------------------------------|-----------------------------|---------|
| Temporary construction easement   | 1,066 SF @ \$50.00/SF x 10% | \$5,330 |
| Contributory value of landscaping | Lump sum                    | \$4,100 |
| Total:                            | \$9,430 say                 | \$9,500 |

Staff recommended Board approval for the following reasons:

1. The acquisition complies with Section 13a-73(c) of the CGS which governs the acquisition of property by the commissioner of transportation required for highway purposes.
2. The acquisition value is supported by the estimate of compensation prepared by DOT.

**PRB #** 12-297 **Transaction/Contract Type:** RE / Voucher  
**Origin/Client:** DOT / DOT  
**Project Number:** 131-198-010  
**Grantor:** Kimberly A. Eaccarino  
**Property:** 1027 Mount Vernon Road, Southington, CT  
**Project Purpose:** Reconstruction of Mount Vernon Road  
**Item Purpose:** Administrative settlement for the acquisition of 460± SF of land, a 140 ± SF temporary work easement, 890± SF drainage right of way and a 870± SF slope easement all for highway purposes with additional compensation for site improvements.

Staff reported that this project will reconstruct and widen a portion of Mount Vernon Road to a uniform width of 30’ from an area 350 feet south of West Center Street to 350’ north of Roaring Brook Drive. Sight lines at intersections will be improved. To improve drainage, ditches will be constructed along the west side of Mount Vernon Road and additional catch basins and adequate sized pipes will be installed. Whitman Road will also be reconstructed. The total project cost estimate is \$6,309,300. DOT developed a property value estimate of \$144,650 for 38 acquisitions.

The subject property at 1027Mount Vernon Road is1.62± acres improved with a single family residential dwelling. The zone is R-20/25. The DOT EOC worksheet indicated the dwelling is currently located approximately 9.5-feet from the front property line and benefits from an extensive rock and stone

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bordered plantings within this area. The proposed reconstruction of Mount Vernon Road will relocate the edge of pavement approximately 4.5-feet closer to the southwest corner of this house. The EOC appraised the site at \$3.40/SF which is consistent with the \$3-\$5 dollar range that has been submitted on previous files for this project.

The owner rejected the state's Estimate of Compensation in the amount of \$9,800 because no award was given for severance. The owner believes that the project will cause her property to suffer a permanent loss of value because of the revised proximity of the reconstructed road to her house and as such the increased likelihood of a vehicle hitting her house. As such, the owner requested additional compensation for the cost of constructing a stone wall on the property to mitigate a possible severance claim. To support this request, the owner submitted a proposal for the construction of the wall and associated landscaping.

DOT reasoned that the grantor may be successful in litigating a severance claim. The negotiation resulted in **\$30,500** to be paid as compensation for all damages, direct, indirect, temporary and or permanent, which may result from this acquisition. Staff recommended Board approval for the following reasons:

1. The acquisition complies with Section 13a-73(c) of the CGS which governs the acquisition of property by the commissioner of transportation required for highway purposes.
2. The administrative settlement of **\$30,500** is supported by the EOC report prepared by DOT and by the cost estimate for constructing the wall improvements. Approval of this agreement will potentially relieve the State of any litigation and costs to litigate that may have resulted in defense of a possible severance claim.

**ARCHITECT-ENGINEER - UNFINISHED BUSINESS**

**ARCHITECT-ENGINEER – NEW BUSINESS**

|                         |  |                                   |                  |
|-------------------------|--|-----------------------------------|------------------|
| <b>PRB#</b>             | <b>12-292</b>  | <b>Transaction/Contract Type:</b> | AE / Task Letter |
| <b>Project Number:</b>  | BI-JA-445  | <b>Origin/Client:</b>             | DCS/MD           |
| <b>Contract:</b>        | OC-DPW-CA-0007 Task Letter #1A   |                                   |                  |
| <b>Consultant:</b>      | Downes Construction Company, LLC   |                                   |                  |
| <b>Property:</b>        | Bridgeport Correctional Center, Bridgeport   |                                   |                  |
| <b>Project Purpose:</b> | North Wing Renovations at Bridgeport Correctional Center   |                                   |                  |
| <b>Item Purpose:</b>    | Task Letter #1A to compensate the consultant for additional full time construction administration services from January 2013 until June 2013 |                                   |                  |

Staff reported that this task letter will authorize Downes Construction Company LLC (“DCC”) to provide additional full time construction administration services from January 2013 until June 2013. These additional services have been requested because the current construction contract for the project has been extended until April 2013 due to unforeseen conditions encountered on the project. The contract with the Architect was executed in June 2007 with Bianco Giolitto Weston Architects Inc now known as Northeast Collaborative Architects Inc. In order, construction and total project budgets were initially **\$6,750,000** and **\$8,800,000** but have been revised to **\$7,971,000** and **\$10,231,800**.

In October 2010 DCC was awarded the contract to provide On-Call Construction Administration services (PRB #10-267). These contracts have a maximum value of \$500,000 and expire in December 2012.

**TASK LETTER #1A** will authorize DCS to amend the existing contract with DCC as follows:

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- Provide DCS full time construction administration services for an additional 19-week construction period from 1/19/2013 until 6/1/2013.
- Continue to provide DCS general duties such as project record keeping, coordination of inspection services, cost verification review, general project documentation, project scheduling, submittal and RFI review, change order review and the ongoing use PM Web Project Management software.

Staff recommended approval of the task letter.

**OTHER BUSINESS**

The Board took the following votes in Open Session:

**PRB FILE #12-292**– Mr. Norman moved and Mr. Valengavich seconded a motion to approve PRB File #12-292. The motion passed unanimously.

**PRB FILE #12-293** - Mr. Pepe moved and Mr. Valengavich seconded a motion to approve PRB File #12-293.

**PRB FILE #12-297** - Mr. Valengavich moved and Mr. Millstein seconded a motion to approve PRB File #12-297.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
Bruce Josephy, Secretary